

**EOD**

04/18/2016

BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP  
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 ADDISON, TX 75001  
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Attorney for WELLS FARGO BANK, N.A.

IN THE UNITED STATES BANKRUPTCY COURT  
 FOR THE EASTERN DISTRICT OF TEXAS  
 SHERMAN DIVISION

IN RE:	§ CASE NO. 16-40031-BTR-7
	§
JAMES D GRISHAM and YAMILETH	§
D GRISHAM,	§
Debtor	§ CHAPTER 7
	§
WELLS FARGO BANK, N.A.,	§
Movant	§ FINAL HEARING DATE: 04/05/2016
	§
v.	§ TIME: 09:30 AM
	§
JAMES D GRISHAM and YAMILETH	§
D GRISHAM; MARK A.	§
WEISBART, Trustee	§
Respondents	§ JUDGE BRENDA T. RHOADES

**AGREED ORDER CONDITIONING AUTOMATIC STAY OF ACTION AGAINST  
 DEBTOR PURSUANT TO 11 U.S.C. § 362**

Came on for consideration the Motion For Relief from Stay, filed by WELLS FARGO BANK, N.A., (hereinafter "MOVANT"), a secured creditor in the above entitled and numbered cause. The Court, having considered said Motion and the agreement of counsel, is of the opinion that the following Agreed Order should be entered. It is therefore, **ORDERED, ADJUDGED, AND DECREED** that:

1. **Automatic Stay:** The Automatic Stay provided by 11 U.S.C. §362 shall remain in effect, except as provided below.
2. **Current Monthly Payments:** Debtor shall continue to remit to the Movant the regular post-petition monthly payments beginning May 01, 2016, and continue said payments

thereafter pursuant to that certain Note and Deed of Trust dated March 02, 2007.

3. **Additional Payments:** In addition to the payments set forth above, Debtor shall cure arrearage and pay attorney's fees and cost in the total amount of \$25,114.10. Said total amount consists of payments for the months of March 01, 2015 through April 01, 2016 additional fees and costs detailed as follows:

Monthly Payment Amount	\$1,794.49 x 2	\$3,588.98
Monthly Payment Amount	\$1,793.76 x 12	\$21,525.12
Late Charges	x	\$0.00
Attorney's Fees	\$0.00	
Costs	\$0.00	
Total Attorney's Fees & Costs		\$0.00
Amount Due		\$25,114.10
Payment Received		\$0.00
Debtor Suspense		\$0.00
Total Balance Due Less Payment Received		\$25,114.10

The total amount due shall be paid directly to Movant at:

WELLS FARGO BANK, N.A.  
PMT PROCESSING MAC # X2302-04C  
1 HOME CAMPUS  
DES MOINES, IA 50328  
Attention: Bankruptcy Department

as follows:

**Debtors shall remit the total amount on or before or before the time a discharge is granted or denied, whichever occurs first.**

4. **Discharge:** Notwithstanding any provision hereof, the automatic stay of 11 U.S.C. §362 shall terminate, if not sooner terminated, upon entry of the Order of Discharge.

5. **Default:** In the event Movant does not receive any payments by the dates set forth in the Current Monthly Payments Paragraph or the Additional Payments Paragraph, the Automatic Stay shall terminate, if not sooner terminated, as to the Movant without further

recourse to this Court and Movant shall be allowed to take any and all steps necessary to exercise any and all rights it may have in the collateral described as follows:

BEING LOT 9, IN BLOCK 15, OF QUAIL MEADOW VILLAGE, PHASE 1, AN ADDITION TO THE CITY OF FRISCO, DENTON COUNTY, TEXAS, ACCORDING TO THE MAP THEREOF RECORDED IN CABINET U, PAGE 154, OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS.

IT IS FURTHER STIPULATED that the parties agree that Movant may immediately enforce and implement this Order granting relief from the automatic stay and that the provision of Rule 4001(a) (3), Federal Rules of Bankruptcy Procedure, shall not impede the enforcement and implementation of this Order.

Additionally, upon default, Movant shall notify the Court, Debtor, Attorney for Debtor, and Chapter 7 Trustee that the Automatic Stay has been terminated.

**IT IS SO ORDERED.**

Signed on 4/18/2016

 SR  
HONORABLE BRENDA T. RHOADES,  
UNITED STATES BANKRUPTCY JUDGE

APPROVED AS TO FORM AND SUBSTANCE:

BARRETT DAFFIN FRAPPIER  
TURNER & ENGEL, LLP

BY: /s/ CODY MARTIN

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ATTORNEY FOR MOVANT

/s/ KENNETH HARTER - with permission

KENNETH S HARTER  
1620 E. BELTLINE ROAD  
CARROLLTON, TX 75006  
  
ATTORNEY FOR DEBTORS

United States Bankruptcy Court  
Eastern District of Texas

In re:  
James D Grisham  
Yamileth D. Grisham  
Debtors

Case No. 16-40031-btr  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0540-4

User: childsj  
Form ID: pdf400

Page 1 of 1  
Total Noticed: 2

Date Rcvd: Apr 18, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 20, 2016.

db/jdb +James D Grisham, Yamileth D. Grisham, 5613 Bay Meadows Drive, Frisco, TX 75034-4611  
cr +Wells Fargo Bank, N.A., c/o BDFTE, LLP, 15000 Surveyor Blvd Suite 100,  
Addison, TX 75001-4417

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 20, 2016

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 18, 2016 at the address(es) listed below:

Kenneth S Harter on behalf of Joint Debtor Yamileth D. Grisham kenharter@tx.rr.com  
Kenneth S Harter on behalf of Debtor James D Grisham kenharter@tx.rr.com  
Mark A. Weisbart weisbartm@earthlink.net,  
mweisbart@ecf.epiqsystems.com;tarah\_simmons@earthlink.net  
Nicole Pape on behalf of Creditor Wells Fargo Bank, N.A. edecf@bdfgroup.com  
Recovery Management Systems Corporation claims@recoverycorp.com  
Steve Turner on behalf of Creditor Wells Fargo Bank, N.A. edecf@BDFGROUP.com,  
marshak@BDFGroup.com  
Timothy W. O'Neal on behalf of U.S. Trustee US Trustee Timothy.W.O'Neal@USDOJ.GOV,  
USTPRegion06.TY.ECF@USDOJ.GOV

TOTAL: 7